

MINUTES

RULES COMMITTEE OF THE COMMISSION FOR MH/DD/SAS MARRIOTT HOTEL JANUARY 9, 2002

Attending:

Commission Members: Floyd McCullouch, Chair, Pender McElroy, Don Stedman, Lois Batton, Bruce Whitaker, Fredrica Stell, Dorothy Crawford, Martha Martinat, Pearl Finch, Albert Fisher and Judy Lewis

Ex-Officio Members: Bob Hedrick and Carol Duncan Clayton

Excused: Martha Macon, Dr. William Sims and Emily Moore

Others: Tara Larson, Cindy Kornegay, Marilyn Brothers, Susan Collins, Jim Jarrard, Bob Kurtz, Don Willis, Lisa Haire, Jeff Horton, Christine Heinberg, Beth Melcher, Dr. Philip Veenhuis, Doug Baker, Janice Petersen, Kyle Fay, John Owen, Pauline Laubinger, Ken Oli, Jan Sisk, Jennifer Mahan, Mike Vicario, Mike Mayer, Beth Melcher, Dave Richard, John Tote, Lee Lewis, Tom Bainbridge, Robert Beasley, Jim Scarborough, Ann Christian and John Crawford

Handouts: Agenda, "Summary of Costs Associated with Seclusion and Restraint Rules," "Outstanding Issues Regarding the Fiscal Impact of the Seclusion and Restraint Rules," Table 1- Restraint and Seclusion Fiscal Note, Table 2 – Impact of Deemed Status on Restraint & Seclusion Fiscal Note, Table 3 – Relevant Impact on Restraint & Seclusion Fiscal Note, Competencies regarding Qualified Substance Abuse Prevention Professional (QSAPP) and Associate Substance Abuse Prevention Professional (ASAPP), and Qualified Professional (QP) and Associate Professional (AP) and Pending Rules Report.

Discussion

The meeting was called to order by Chairman Floyd McCullouch. Attendees were introduced. An announcement of the upcoming Legislative Oversight Committee meeting was made.

Kyle Fay presented the three handouts (tables included) of the revised fiscal note for the Seclusion and Restraint Rules as adopted by the Commission at the September 2001 meeting. The original note presented was \$5.6 million and the revised note presented is \$3.9 million. The reductions were based on assumptions regarding curriculum development, the number of staff requiring training in the use of S & R, the number of unlicensed provider staff and reductions in the required length of training.

Chair McCullouch stated that the issue regarding his friendly amendment on planned debriefings was inadvertently left out of Chair Pender McElroy's motion on the second day when the Commission members voted at the September Commission meeting. Chair McCullouch would like for that to be an agenda item for the February Commission meeting. Tara Larson suggested revising the fiscal note again to bring before the Commission – one with the planned intervention debriefing and one without. Kyle Fay agreed to revise the fiscal note accordingly.

Bob Hedrick suggested that a provider work with Kyle in revising the fiscal note to determine variances. Chair McElroy stated that he would like for Beth Melcher and Christine Heinberg have the opportunity to work with Kyle also.

Chair McElroy stated that he would like for the Committee members to be able to review the revised fiscal note (if changes) before the February Commission meeting. If/when the fiscal note is signed, the members would like to be informed of where the funds would come from.

There was discussion regarding what legal implications there may be if the fiscal note is not signed. Chair McElroy suggested that the attorney for the Department/Division attend the February Commission meeting and update the members on this matter.

Kyle explained the deemed status impact (Table 2) by the reduction in the costs of \$665,000 if the five GACPD add-ons were dropped.

Kyle also explained the relevant staff impact (Table 3) of \$1.6 million.

Tara announced that there were no comments received regarding the Child Residential Rules and staff will proceed with a fiscal note to bring before the Rules Committee at the April meeting.

Doug Baker and Janice Petersen presented information regarding proposed rules for Qualified Substance Abuse Prevention Professional and Associate Substance Abuse Prevention Professional. They explained the distinction between them and the need to be consistent with other disability services. Doug stated the Substance Abuse Services Section is federally mandated to deliver prevention services.

Jim Scarborough explained the process used by the Certification Board for Substance Abuse Professionals to become a Certified Substance Abuse Professional.

Albert Fisher made a motion to prepare a fiscal note to bring back to the Rules Committee. The motion carried unanimously.

New Business – Tara reported

Dr. Visinguardi will report to duty officially on February 4 and will attend the February 11 Commission meeting.

Dr. Robarge will remain with the Division as the Deputy Director.

Cindy Kornegay announced that the comment period for the Catchment Areas Rules will end on January 16 and would like to move forward to formally adopt those rules at the February Commission meeting. The Committee members voted in favor to go forward with the Catchment Area Rules at the February meeting.

Judy Lewis recently visited and gave praise to WCC and Broughton for the excellent services they provide.

Location of the February Commission meeting will be announced via U.S. mail.

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Four new Commission members have been appointed:

Marvin Schwartz

Anna Scheyett, M.D.

Ellen Holliman

Bernard Sullivan, Jr.

Chair McElroy stated that he would like for members to consider who they would like to elect for Vice-Chairman at the February Commission meeting.

Chair McCullouch adjourned the meeting.

